



December 23, 2015

The Honorable Patrick J. Toomey  
United States Senate  
Washington, D.C. 20510

Dear Senator Toomey:

Thank you for your June 30, 2015, letter to U.S. Environmental Protection Agency Administrator Gina McCarthy, U.S. Department of Agriculture Secretary Thomas J. Vilsack, and U.S. Department of Energy Secretary Ernest Moniz, regarding the role of forest bioenergy in meeting our Nation's energy and climate goals. They have asked us to respond on their behalf.

The President's Climate Action Plan and All-of-the-Above Energy Strategy lay a foundation for a clean energy future and foster expansion of renewable energy, including biomass. At the same time, the President's Climate Action Plan highlights the critical role that America's forests play in addressing carbon pollution in the United States. Our agencies agree that production and use of biomass energy can be an integral part of regimes that promote conservation and responsible forest management. States also recognize the importance of forests, and many have been developing a variety of forest and land use management policies and programs that both address climate change and foster increased biomass utilization as part of their energy future.

Recent EPA regulatory action and scientific work on assessing biogenic carbon dioxide (CO<sub>2</sub>) emissions from stationary sources is part of this broad climate strategy. In August 2015, EPA released the final Clean Power Plan (CPP), which describes the ways in which the use of biomass may be a component of state plans. For example, in the CPP, EPA generally acknowledges the benefits of waste-derived biogenic feedstocks and certain forest- and agriculture-derived industrial byproduct feedstocks and expects that these feedstocks would likely be approvable in a state plan. To support states and stakeholders in incorporating bioenergy in their state plans, EPA plans to hold a public workshop in early 2016 for stakeholders to share their successes, experiences, and approaches to deploying biomass in ways that have been, and can be, carbon beneficial. In addition, EPA has also developed a revised *Framework for Assessing Biogenic Carbon Dioxide from Stationary Sources* that can assist states when considering the role of biomass in state plan submittals. The revised report takes into account the latest information from the scientific community and other stakeholders, including findings from EPA's Science Advisory Board (SAB) review of the first draft framework. EPA is continuing to refine its accounting work through a second round of targeted peer review with the SAB in 2015.<sup>1</sup>

---

<sup>1</sup> The revised draft Framework and SAB peer review request memo can be found at: <http://epa.gov/climatechange/ghgemissions/biogenic-emissions.html>. Information regarding the SAB peer review process can be found at: [www.epa.gov/sab/](http://www.epa.gov/sab/).

USDA recognizes the important role forest management and biomass will play in both our energy and climate future. Increasing the demand for wood for energy results in more forest area, more forest investment, and potential greenhouse gas reductions. To increase forest stocks and improve forest health and management, we must develop incentives that keep working forestland forested and support forest restoration, reforestation, and afforestation. This is all the more critical, especially amid development pressures and increasing threats from insects, disease, and wildfire.

Under USDA's Wood to Energy Initiative, USDA has supported over 230 Wood Energy projects through nearly \$1 billion in grants, loans, and loan guarantees since 2009 through a host of programs, including the Renewable Energy for America Program and the Biomass Crop Assistance Program. USDA has established state-wide wood energy teams in 19 states that are helping deliver needed technical and financial assistance to expand those markets further.

DOE recognizes the importance of wood as a renewable energy source. DOE is leading efforts to develop and demonstrate technologies for producing cost-competitive advanced biofuels from non-food biomass resources, including forest and wood resources, algae, and waste streams. These efforts require rigorous scientific study and evaluation to understand the impacts of various biomass feedstocks, especially woody resources, to optimize the benefits of their use.

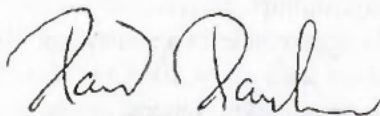
In the context of the President's Climate Action Plan and All-of-the-Above Energy Strategy, DOE, EPA, and USDA will work together to ensure that biomass energy plays a role in America's clean energy future. As stated in your letter, the American people deserve a Federal policy that recognizes the benefits of forest bioenergy. Together, our agencies are working carefully and consistently to quantify the benefits of using wood for energy.

Again, thank you for your letter. If you have further questions, please contact us, or your staff may contact Ms. Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806; Ms. Jaime Shimek, DOE's Deputy Assistant Secretary for Senate Affairs at (202) 586-5450; or Mr. Todd Batta, USDA's Assistant Secretary for Congressional Relations at (202) 720-7095.

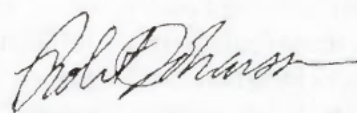
Sincerely,



Janet G. McCabe  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection  
Agency



Dr. David T. Danielson  
Assistant Secretary  
Office of Energy Efficiency  
and Renewable Energy  
U.S. Department of Energy



Dr. Robert Johansson  
Chief Economist  
U.S. Department of Agriculture





December 23, 2015

The Honorable Roger F. Wicker  
United States Senate  
Washington, D.C. 20510

Dear Senator Wicker:

Thank you for your June 30, 2015, letter to U.S. Environmental Protection Agency Administrator Gina McCarthy, U.S. Department of Agriculture Secretary Thomas J. Vilsack, and U.S. Department of Energy Secretary Ernest Moniz, regarding the role of forest bioenergy in meeting our Nation's energy and climate goals. They have asked us to respond on their behalf.

The President's Climate Action Plan and All-of-the-Above Energy Strategy lay a foundation for a clean energy future and foster expansion of renewable energy, including biomass. At the same time, the President's Climate Action Plan highlights the critical role that America's forests play in addressing carbon pollution in the United States. Our agencies agree that production and use of biomass energy can be an integral part of regimes that promote conservation and responsible forest management. States also recognize the importance of forests, and many have been developing a variety of forest and land use management policies and programs that both address climate change and foster increased biomass utilization as part of their energy future.

Recent EPA regulatory action and scientific work on assessing biogenic carbon dioxide (CO<sub>2</sub>) emissions from stationary sources is part of this broad climate strategy. In August 2015, EPA released the final Clean Power Plan (CPP), which describes the ways in which the use of biomass may be a component of state plans. For example, in the CPP, EPA generally acknowledges the benefits of waste-derived biogenic feedstocks and certain forest- and agriculture-derived industrial byproduct feedstocks and expects that these feedstocks would likely be approvable in a state plan. To support states and stakeholders in incorporating bioenergy in their state plans, EPA plans to hold a public workshop in early 2016 for stakeholders to share their successes, experiences, and approaches to deploying biomass in ways that have been, and can be, carbon beneficial. In addition, EPA has also developed a revised *Framework for Assessing Biogenic Carbon Dioxide from Stationary Sources* that can assist states when considering the role of biomass in state plan submittals. The revised report takes into account the latest information from the scientific community and other stakeholders, including findings from EPA's Science Advisory Board (SAB) review of the first draft framework. EPA is continuing to refine its accounting work through a second round of targeted peer review with the SAB in 2015.<sup>1</sup>

---

<sup>1</sup> The revised draft Framework and SAB peer review request memo can be found at: <http://epa.gov/climatechange/ghgemissions/biogenic-emissions.html>. Information regarding the SAB peer review process can be found at: [www.epa.gov/sab/](http://www.epa.gov/sab/).

USDA recognizes the important role forest management and biomass will play in both our energy and climate future. Increasing the demand for wood for energy results in more forest area, more forest investment, and potential greenhouse gas reductions. To increase forest stocks and improve forest health and management, we must develop incentives that keep working forestland forested and support forest restoration, reforestation, and afforestation. This is all the more critical, especially amid development pressures and increasing threats from insects, disease, and wildfire.

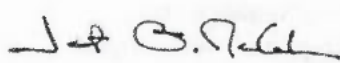
Under USDA's Wood to Energy Initiative, USDA has supported over 230 Wood Energy projects through nearly \$1 billion in grants, loans, and loan guarantees since 2009 through a host of programs, including the Renewable Energy for America Program and the Biomass Crop Assistance Program. USDA has established state-wide wood energy teams in 19 states that are helping deliver needed technical and financial assistance to expand those markets further.

DOE recognizes the importance of wood as a renewable energy source. DOE is leading efforts to develop and demonstrate technologies for producing cost-competitive advanced biofuels from non-food biomass resources, including forest and wood resources, algae, and waste streams. These efforts require rigorous scientific study and evaluation to understand the impacts of various biomass feedstocks, especially woody resources, to optimize the benefits of their use.

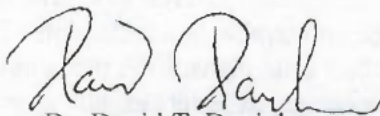
In the context of the President's Climate Action Plan and All-of-the-Above Energy Strategy, DOE, EPA, and USDA will work together to ensure that biomass energy plays a role in America's clean energy future. As stated in your letter, the American people deserve a Federal policy that recognizes the benefits of forest bioenergy. Together, our agencies are working carefully and consistently to quantify the benefits of using wood for energy.

Again, thank you for your letter. If you have further questions, please contact us, or your staff may contact Ms. Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806; Ms. Jaime Shimek, DOE's Deputy Assistant Secretary for Senate Affairs at (202) 586-5450; or Mr. Todd Batta, USDA's Assistant Secretary for Congressional Relations at (202) 720-7095.

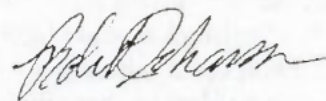
Sincerely,



Janet G. McCabe  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection  
Agency



Dr. David T. Danielson  
Assistant Secretary  
Office of Energy Efficiency  
and Renewable Energy  
U.S. Department of Energy



Dr. Robert Johansson  
Chief Economist  
U.S. Department of Agriculture





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OCT 14 2015

OFFICE OF  
AIR AND RADIATION

The Honorable Johnny Isakson  
United States Senate  
Washington, D.C. 20510

Dear Senator Isakson:

Thank you for your letter to President Barack Obama regarding the Clean Power Plan for existing power plants. The Clean Power Plan was signed by the U.S. Environmental Protection Agency Administrator Gina McCarthy on August 3, 2015.

The Clean Power Plan is a historic and important step in reducing carbon pollution from power plants that takes real action on climate change. Shaped by years of unprecedented outreach and public engagement, the final Clean Power Plan is fair, flexible and designed to strengthen the fast-growing trend toward cleaner and lower-polluting American energy. With strong but achievable standards for power plants, and customized goals for states to cut the carbon pollution that is driving climate change, the Clean Power Plan provides national consistency, accountability and a level playing field while reflecting each state's energy mix. It also shows the world that the United States is committed to leading global efforts to address climate change.

The Clean Power Plan cuts significant amounts of power plant carbon pollution and the pollutants that cause the soot and smog that harm human health, while advancing clean energy innovation, development and deployment, and laying the foundation for the long-term strategy needed to tackle the threat of climate change. By providing states and utilities ample flexibility and the time needed to achieve these pollution cuts, the Clean Power Plan offers the power sector the ability to optimize pollution reductions while maintaining a reliable and affordable supply of electricity for ratepayers and businesses.

Fossil fuels will continue to be a critical component of America's energy future. The Clean Power Plan simply makes sure that fossil fuel-fired power plants will operate more cleanly and efficiently, while expanding the role of zero- and low-emitting power sources. When the Clean Power Plan is fully in place in 2030, carbon pollution from the power sector will be 32 percent below 2005 levels, securing progress and making sure it continues.

The final rule is the result of unprecedented outreach to states, tribes, utilities, stakeholders and the public, including more than 4.3 million comments the EPA received on the proposed rule. The final Clean Power Plan reflects that input, and gives states and utilities time to preserve ample, reliable and affordable power for all Americans.

The EPA also issued final Carbon Pollution Standards for new, modified, and reconstructed power plants. These standards apply to brand new sources built in the future or to an existing unit that meets certain, specific conditions described in the Clean Air Act and implementing regulations for being deemed “modified” or “reconstructed.” These limits provide the starting point for new fossil-fueled fired power plants, which must obtain permits under the Clean Air Act’s New Source Review program. Because these standards are in line with current industry investment patterns, these standards are not expected to have notable costs and are not projected to impact electricity prices or reliability.

Climate change is one of the greatest environmental and public health challenges we face. Climate impacts affect all Americans’ lives – from stronger storms to longer droughts and increased insurance premiums, food prices and allergy seasons. Overwhelmingly, the best scientists in the world, relying on troves of data and millions of measurements collected over the course of decades on land, in air and water, at sea and from space, are telling us that our activities are causing climate change. Taking action now is critical. Reducing CO2 emissions from power plants, and driving investment in clean energy technologies and strategies that do so, is an essential step in lessening the impacts of climate change and providing a more certain future for our health, our environment, and future generations. The EPA will continue to work with stakeholders, including those in Georgia, to implement the Clean Power Plan and reduce carbon pollution through a flexible process that meets their needs.

The proposed federal plan demonstrates a readily available path forward for Clean Power Plan implementation, and present flexible, affordable implementation options for states. The EPA will accept comments on the proposed federal plan for 90 days following publication in the Federal Register. For instructions on how to comment on the proposed federal plan requirements, identified by Docket ID No. EPA-HQ-OAR-2015-0199, visit the Federal Rulemaking Portal at [www.regulations.gov](http://www.regulations.gov).

For more information about these final and proposed rules, visit <http://www2.epa.gov/cleanpowerplan>. Supportive materials are available through our website and my staff are available to provide technical assistance to stakeholders regarding the EPA’s rules to address carbon pollution from power plants.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Kevin Bailey in the EPA’s Office of Congressional and Intergovernmental Relations at [bailey.kevinj@epa.gov](mailto:bailey.kevinj@epa.gov) or (202) 564-2998.

Sincerely,

A handwritten signature in black ink, appearing to read "J G McCabe", written in a cursive style.

Janet G. McCabe  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OCT 14 2015

OFFICE OF  
AIR AND RADIATION

The Honorable David Perdue  
United States Senate  
Washington, D.C. 20510

Dear Senator Perdue:

Thank you for your letter to President Barack Obama regarding the Clean Power Plan for existing power plants. The Clean Power Plan was signed by the U.S. Environmental Protection Agency Administrator Gina McCarthy on August 3, 2015.

The Clean Power Plan is a historic and important step in reducing carbon pollution from power plants that takes real action on climate change. Shaped by years of unprecedented outreach and public engagement, the final Clean Power Plan is fair, flexible and designed to strengthen the fast-growing trend toward cleaner and lower-polluting American energy. With strong but achievable standards for power plants, and customized goals for states to cut the carbon pollution that is driving climate change, the Clean Power Plan provides national consistency, accountability and a level playing field while reflecting each state's energy mix. It also shows the world that the United States is committed to leading global efforts to address climate change.

The Clean Power Plan cuts significant amounts of power plant carbon pollution and the pollutants that cause the soot and smog that harm human health, while advancing clean energy innovation, development and deployment, and laying the foundation for the long-term strategy needed to tackle the threat of climate change. By providing states and utilities ample flexibility and the time needed to achieve these pollution cuts, the Clean Power Plan offers the power sector the ability to optimize pollution reductions while maintaining a reliable and affordable supply of electricity for ratepayers and businesses.

Fossil fuels will continue to be a critical component of America's energy future. The Clean Power Plan simply makes sure that fossil fuel-fired power plants will operate more cleanly and efficiently, while expanding the role of zero- and low-emitting power sources. When the Clean Power Plan is fully in place in 2030, carbon pollution from the power sector will be 32 percent below 2005 levels, securing progress and making sure it continues.

The final rule is the result of unprecedented outreach to states, tribes, utilities, stakeholders and the public, including more than 4.3 million comments the EPA received on the proposed rule. The final Clean Power Plan reflects that input, and gives states and utilities time to preserve ample, reliable and affordable power for all Americans.

The EPA also issued final Carbon Pollution Standards for new, modified, and reconstructed power plants. These standards apply to brand new sources built in the future or to an existing unit that meets certain, specific conditions described in the Clean Air Act and implementing regulations for being deemed “modified” or “reconstructed.” These limits provide the starting point for new fossil-fueled fired power plants, which must obtain permits under the Clean Air Act’s New Source Review program. Because these standards are in line with current industry investment patterns, these standards are not expected to have notable costs and are not projected to impact electricity prices or reliability.

Climate change is one of the greatest environmental and public health challenges we face. Climate impacts affect all Americans’ lives – from stronger storms to longer droughts and increased insurance premiums, food prices and allergy seasons. Overwhelmingly, the best scientists in the world, relying on troves of data and millions of measurements collected over the course of decades on land, in air and water, at sea and from space, are telling us that our activities are causing climate change. Taking action now is critical. Reducing CO2 emissions from power plants, and driving investment in clean energy technologies and strategies that do so, is an essential step in lessening the impacts of climate change and providing a more certain future for our health, our environment, and future generations. The EPA will continue to work with stakeholders, including those in Georgia, to implement the Clean Power Plan and reduce carbon pollution through a flexible process that meets their needs.

The proposed federal plan demonstrates a readily available path forward for Clean Power Plan implementation, and present flexible, affordable implementation options for states. The EPA will accept comments on the proposed federal plan for 90 days following publication in the Federal Register. For instructions on how to comment on the proposed federal plan requirements, identified by Docket ID No. EPA-HQ-OAR-2015-0199, visit the Federal Rulemaking Portal at [www.regulations.gov](http://www.regulations.gov).

For more information about these final and proposed rules, visit <http://www2.epa.gov/cleanpowerplan>. Supportive materials are available through our website and my staff are available to provide technical assistance to stakeholders regarding the EPA’s rules to address carbon pollution from power plants.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Kevin Bailey in the EPA’s Office of Congressional and Intergovernmental Relations at [bailey.kevinj@epa.gov](mailto:bailey.kevinj@epa.gov) or (202) 564-2998.

Sincerely,

A handwritten signature in black ink, appearing to read "J. McCabe", written in a cursive style.

Janet G. McCabe  
Acting Assistant





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Tim Kaine  
United States Senate  
Washington, D.C. 20510

Dear Senator Kaine:

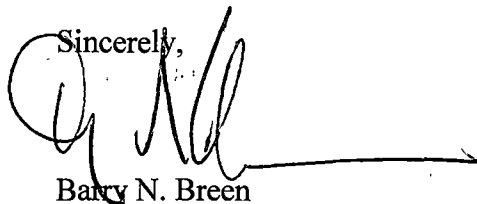
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Roger F. Wicker  
United States Senate  
Washington, D.C. 20510

Dear Senator Wicker:

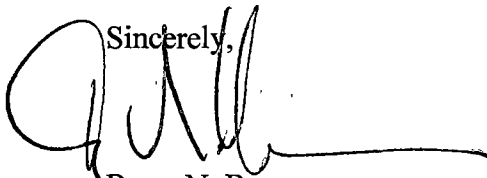
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen

Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Mark R. Warner  
United States Senate  
Washington, D.C. 20510

Dear Senator Warner:

Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

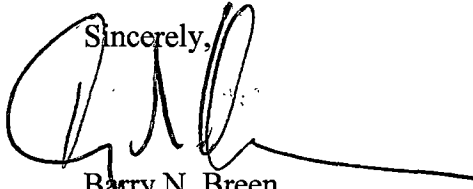
The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.



Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'Breen', with a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 21 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Joni K. Ernst  
United States Senate  
Washington, D.C. 20510

Dear Senator Ernst:

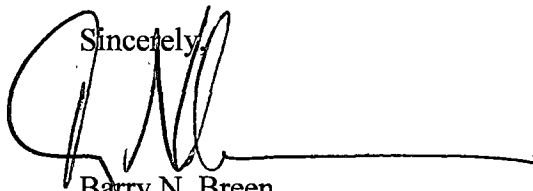
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Joe Donnelly  
United States Senate  
Washington, D.C. 20510

Dear Senator Donnelly:

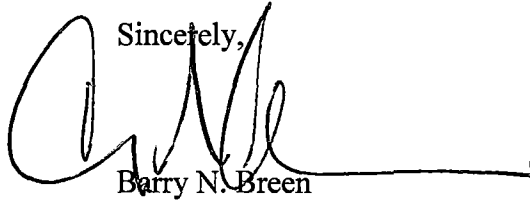
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Chris Van Hollen  
United States Senate  
Washington, D.C. 20510

Dear Senator Van Hollen:

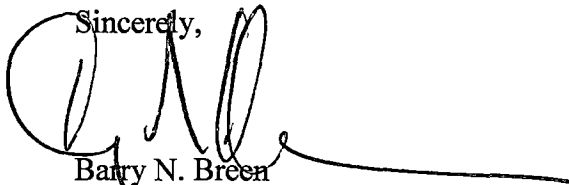
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Benjamin L. Cardin  
United States Senate  
Washington, D.C. 20510

Dear Senator Cardin:

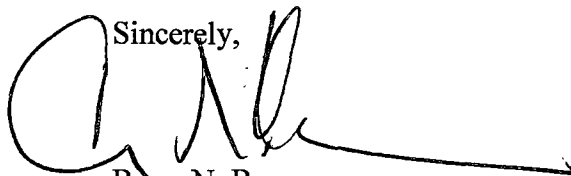
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 21 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable David A. Perdue  
United States Senate  
Washington, D.C. 20510

Dear Senator Perdue:

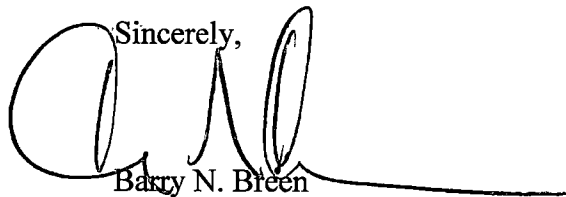
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Johnny Isakson  
United States Senate  
Washington, D.C. 20510

Dear Senator Isakson:

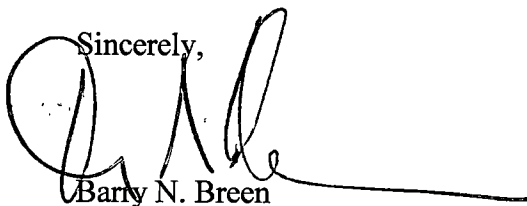
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen

Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Christopher A. Coons  
United States Senate  
Washington, D.C. 20510

Dear Senator Coons:

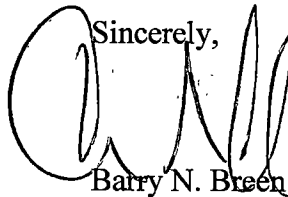
Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', written over a horizontal line.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**AUG 21 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Thomas R. Carper  
United States Senate  
Washington, D.C. 20510

Dear Senator Carper:

Thank you for your letter to the U.S. Environmental Protection Agency regarding your constituents' questions and concerns about guidance for reporting of air emissions from animal waste. Since receiving your letter, we have been actively engaged in assisting farmers in complying with reporting air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) in anticipation of the vacatur of a 2008 final rule exempting reporting of such releases.

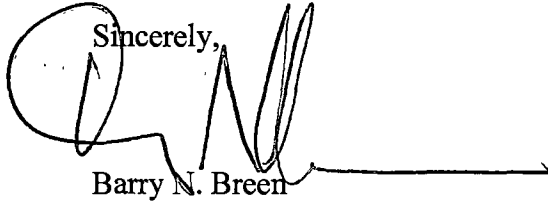
The EPA actively engaged a broad range of stakeholders in developing interim guidance for CERCLA and EPCRA reporting. We coordinated with key agriculture and livestock trade associations to understand their stakeholders' concerns and to address those issues. EPA sought to assist farmers by posting interim guidance on the Agency's website explaining the steps involved in reporting continuous releases of hazardous substances, as well as resources to assist farmers in estimating emissions from animal waste. EPA made the interim guidance available in October 2017 and requested comments from stakeholders on how to improve that guidance. EPA also updated our website periodically as new information became available to assist farmers with meeting their reporting obligations under CERCLA and EPCRA.

On May 2, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued a mandate effectuating its vacatur of the 2008 final rule, which exempted farms from reporting releases of hazardous substances from animal waste to the air under CERCLA and EPCRA. Prior to that date, the "Fair Agricultural Reporting Method Act" (FARM Act) was enacted as part of the "Consolidated Appropriations Act, 2018" on March 23, 2018. The FARM Act exempted reporting of air emissions from animal waste at farms from CERCLA. Therefore, farm owners and operators are no longer required to report these types of releases under CERCLA. On April 27, 2018, the EPA updated its website to include an explanation of the impact of the FARM Act on the reporting of air emissions from animal waste at farms under both CERCLA and EPCRA, which can be found at: <https://www.epa.gov/epcra/cercla-and-epcra-questions-and-answers-farm-act>. On August 1, 2018, the EPA published a final rule revising its regulations under CERCLA to codify the reporting exemption provided by the FARM Act. The EPA is also currently engaged in a rulemaking process to revise EPCRA regulations to address the impact of the FARM Act on the reporting of air emissions from animal waste at farms under EPCRA.



Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Pamela Janifer in EPA's Office of Congressional and Intergovernmental Relations at [janifer.pamela@epa.gov](mailto:janifer.pamela@epa.gov) or at (202) 564-6969.

Sincerely,

A handwritten signature in black ink, appearing to be "Breen", with a large circular flourish on the left and a horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Roger F. Wicker  
United States Senate  
Washington, D.C. 20510

Dear Senator Wicker:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

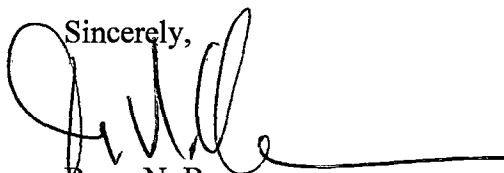
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Breen', with a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Thom Tillis  
United States Senate  
Washington, D.C. 20510

Dear Senator Tillis:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

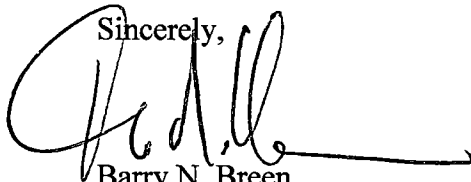
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen

Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Tim Scott  
United States Senate  
Washington, D.C. 20510

Dear Senator Scott:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

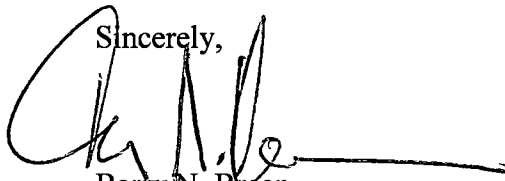
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Marco Rubio  
United States Senate  
Washington, D.C. 20510

Dear Senator Rubio:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

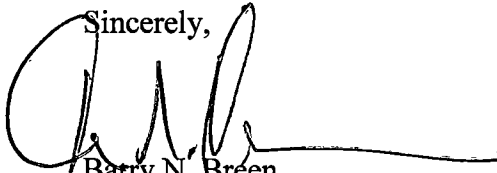
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Pat Roberts  
United States Senate  
Washington, D.C. 20510

Dear Senator Roberts:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

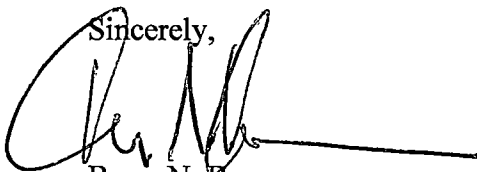
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry N. Breen', with a long horizontal line extending to the right.

Barry N. Breen

Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable James E. Risch  
United States Senate  
Washington, D.C. 20510

Dear Senator Risch:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

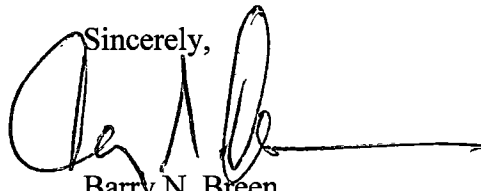
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry N. Breen', with a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable David A. Purdue  
United States Senate  
Washington, D.C. 20510

Dear Senator Purdue:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

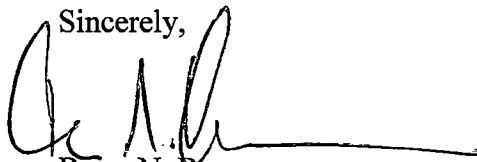
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', with a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Rand Paul, M.D.  
United States Senate  
Washington, D.C. 20510

Dear Senator Paul:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

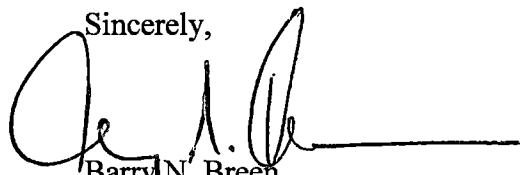
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Joe Manchin, III  
United States Senate  
Washington, D.C. 20510

Dear Senator Manchin:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

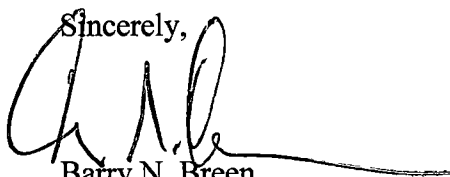
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable John Kennedy  
United States Senate  
Washington, D.C. 20510

Dear Senator Kennedy:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

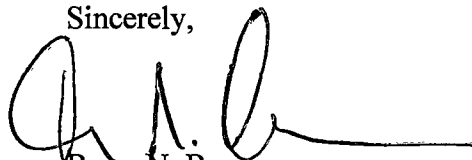
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Johnny Isakson  
United States Senate  
Washington, D.C. 20510

Dear Senator Isakson:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

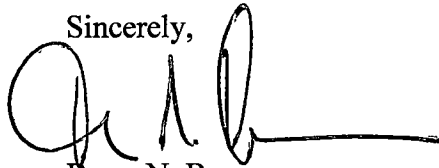
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in dark ink, appearing to read 'B. Breen', with a long horizontal stroke extending to the right.

Barry N. Breen  
Acting Assistant Administrator





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable James M. Inhofe  
United States Senate  
Washington, D.C. 20510

Dear Senator Inhofe:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

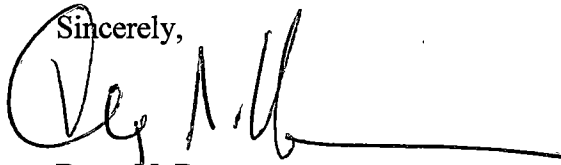
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Cindy Hyde-Smith  
United States Senate  
Washington, D.C. 20510

Dear Senator Hyde-Smith:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

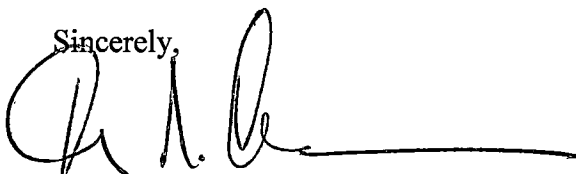
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in dark ink, appearing to read 'B. N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable John Hoeven  
United States Senate  
Washington, D.C. 20510

Dear Senator Hoeven:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', followed by a horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Heidi Heitkamp  
United States Senate  
Washington, D.C. 20510

Dear Senator Heitkamp:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

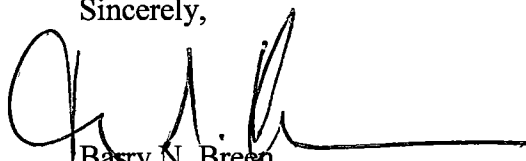
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry N. Breen', with a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator

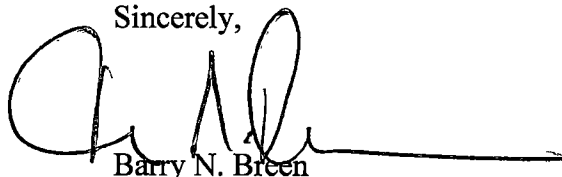


deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Lindsey O. Graham  
United States Senate  
Washington, D.C. 20510

Dear Senator Graham:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Mike Enzi  
United States Senate  
Washington, D.C. 20510

Dear Senator Enzi:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

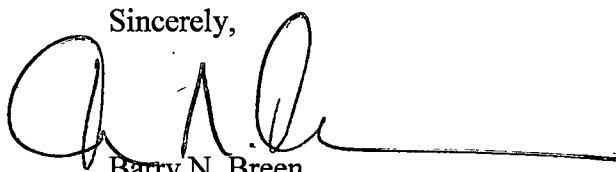
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Steve Daines  
United States Senate  
Washington, D.C. 20510

Dear Senator Daines:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

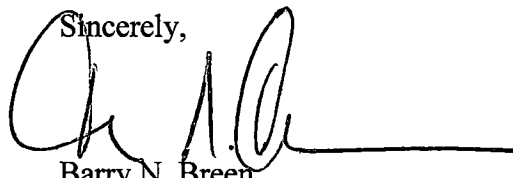
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Mike Crapo  
United States Senate  
Washington, D.C. 20510

Dear Senator Crapo:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

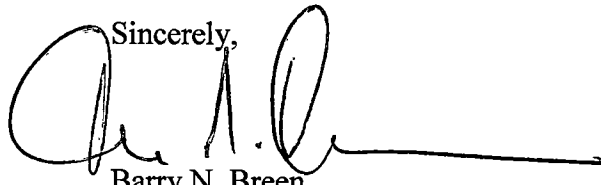
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Tom Cotton  
United States Senate  
Washington, D.C. 20510

Dear Senator Cotton:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

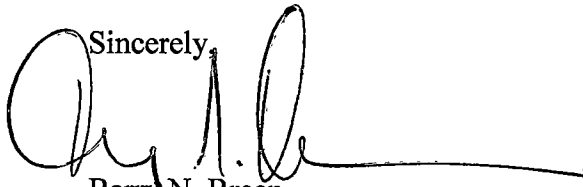
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Bill Cassidy, M.D.  
United States Senate  
Washington, D.C. 20510

Dear Senator Cassidy:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

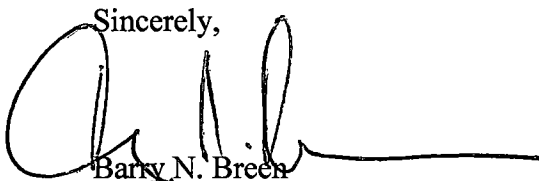
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Shelley Moore Capito  
United States Senate  
Washington, D.C. 20510

Dear Senator Capito:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

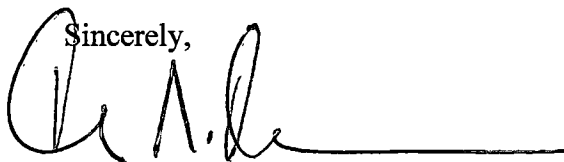
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', followed by a long horizontal line extending to the right.

Barry N. Breen  
Acting Assistant Administrator



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2018**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable John Boozman  
United States Senate  
Washington, D.C. 20510

Dear Senator Boozman:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

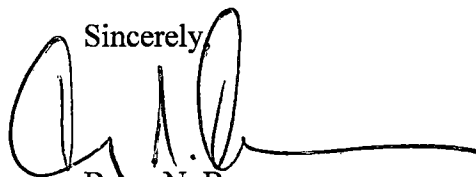
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. N. Breen', with a long horizontal flourish extending to the right.

Barry N. Breen  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Lamar Alexander  
United States Senate  
Washington, D.C. 20510

Dear Senator Alexander:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

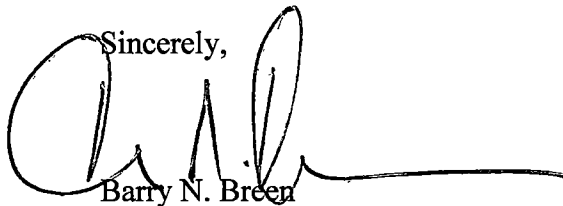
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 24 2018

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE  
NOW THE  
OFFICE OF LAND AND  
EMERGENCY MANAGEMENT

The Honorable Jerry Moran  
United States Senate  
Washington, D.C. 20510

Dear Senator Moran:

Thank you for your letter of June 8, 2018 to the U.S. Environmental Protection Agency requesting the EPA extend its previously established compliance deadline of October 13, 2018, for portions of the 2015 Underground Storage Tank (UST) regulation (specifically 40 CFR 280.35), to October 13, 2024. In your letter, you raised several concerns, including the feasibility of the testing and inspection requirements, and that operators may have difficulty finding qualified contractors to perform the required testing and inspections by the October 13, 2018 compliance deadline.

Since a compliance deadline extension to 2024 could unintentionally do more harm than good, we are not extending the deadline. The new requirements in the 2015 UST regulation were designed to focus on the parts of tank systems most likely to leak or to fail to detect a leak if there were a problem. A several-year delay in conducting the new requirements could result in releases not being identified and addressed for many years, which ultimately could result in unnecessary environmental damage and more expensive cleanup costs. Since the regulation was finalized in 2015, many stakeholders, including tank owners and operators, service providers, testing companies and other contractors have planned their work based on the October 2018 deadline, and an extension now could be disruptive to those stakeholders' businesses.

Moreover, the agency undertook an extensive and lengthy process in developing the 2015 UST regulation. We reached out substantially to affected stakeholders starting in 2008 before proposing the rule in November 2011. After the proposal, there was a five-month comment period during which we received approximately 200 comments. The final rule, published in 2015, simplified the implementation schedule, reduced the burden of walkthrough inspections, removed requirements for periodic testing of tank secondary containment and changed requirements on some previously deferred tanks, among other revisions. In May 2017, the EPA added an alternative sump testing method that some stakeholders could choose if it would be easier for them to use and less costly.

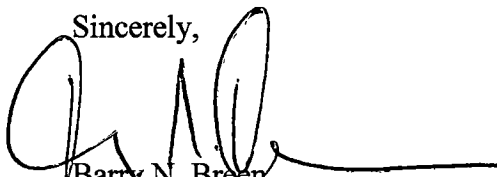
Additionally, because USTs are often directly regulated by states, the deadline of October 13, 2018 applies directly in only the 16 states and territories that have not received State Program Approval (SPA). In the other 40 states and territories with SPA, the state regulations apply in lieu of the federal regulation, and states can implement their regulations up to three years beyond the federal compliance

deadline. Thus, implementation will be phased in from 2018 through up to 2021. The variability of deadlines will reduce the demand on contractors at any one time.

The EPA encourages tank owners to not wait until the last minute to try to arrange for testing and inspection. If the required tests/inspections determine that existing equipment is not properly operating to prevent and detect releases, the EPA understands it may take time to get that equipment repaired or upgraded. For diligent tank owners who nevertheless are unable to comply with the October 2018 deadline, the EPA considers any good faith efforts to comply with the law when deciding if and how to respond to a violation.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Raquel Snyder in the EPA's Office of Congressional and Intergovernmental Relations at [snyder.raquel@epa.gov](mailto:snyder.raquel@epa.gov) or at (202) 564-9586.

Sincerely,



Barry N. Breen  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Christopher Novak  
Director of Engineering and Facilities Maintenance  
Georgia Ports Authority  
2 Main Street  
Garden City, Georgia 31408

Dear Mr. Novak:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – eRTGs (Electric Rubber Tired Gantry Cranes) – has been selected for a Clean Air Excellence Award in the Clean Air Technology category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Lyn Rosoff  
Director of Marketing  
SmartPower  
1120 Connecticut Avenue, NW, Suite 1040  
Washington, DC 20036

Dear Mr. Rosoff:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Rhode Island Energy Challenge: FindYourFour! – has been selected for a Clean Air Excellence Award in the Education and Outreach category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Peter Hsiao  
Partner  
Great Basin Unified Air Pollution Control District  
707 Wilshire Boulevard, Suite 6000  
Los Angeles, California 90017

Dear Mr. Hsiao:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Owens Valley PM-10 Project – has been selected for a Clean Air Excellence Award in the Regulatory/Policy Innovations category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Mark Hutson  
Air Quality Program Manager  
Southern Ute Indian Tribe - Air Quality Program  
71 Mike Frost Way; P.O. Box 737 MS #84  
Ignacio, Colorado 81137

Dear Mr. Hutson:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Southern Ute Indian Tribe Implementation of a Part 70 Operating Permit Program – has been selected for a Clean Air Excellence Award in the Regulatory/Policy Innovations category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is located below the "Sincerely," text.

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Ms. Lynn Harris  
Principal Administrative Analyst  
University of California, Irvine - Transportation and Distribution Services  
200 Public Services Building  
Irvine, California 92697

Dear Ms. Harris:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Sustainable Transportation Program – has been selected for a Clean Air Excellence Award in the Transportation Efficiency category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet G. McCabe", is located below the word "Sincerely,".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Ms. Mary Byrd  
Community Programs Supervisor  
Santa Barbara County Air Pollution Control District  
260 N. San Antonio Road, Suite A  
Santa Barbara, California 93110

Dear Ms. Byrd:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Protecting Blue Whales and Blue Skies – has been selected for a Clean Air Excellence Award in the Community Action category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. John C. Wall

(b)(6) - Personal Privacy

Dear Mr. Wall:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that you have been selected for the Thomas W. Zosel Outstanding Individual Achievement Award as part of the Clean Air Excellence Awards program. We received almost 50 applications, and you were chosen by the EPA's Office of Air and Radiation for your outstanding achievement, demonstrated leadership, and lasting commitment to clean air.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

*Congratulations, John!  
Not deserving and I  
hope you can make it.*

Sincerely,

Janet G. McCabe  
Acting Assistant Administrator

cc: Brian C. Mormino  
Cummins, Inc.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Christopher Novak  
Director of Engineering and Facilities Maintenance  
Georgia Ports Authority  
2 Main Street  
Garden City, Georgia 31408

Dear Mr. Novak:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – eRTGs (Electric Rubber Tired Gantry Cranes) – has been selected for a Clean Air Excellence Award in the Clean Air Technology category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Lyn Rosoff  
Director of Marketing  
SmartPower  
1120 Connecticut Avenue, NW, Suite 1040  
Washington, DC 20036

Dear Mr. Rosoff:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Rhode Island Energy Challenge: FindYourFour! – has been selected for a Clean Air Excellence Award in the Education and Outreach category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Peter Hsiao  
Partner  
Great Basin Unified Air Pollution Control District  
707 Wilshire Boulevard, Suite 6000  
Los Angeles, California 90017

Dear Mr. Hsiao:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Owens Valley PM-10 Project – has been selected for a Clean Air Excellence Award in the Regulatory/Policy Innovations category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. Mark Hutson  
Air Quality Program Manager  
Southern Ute Indian Tribe - Air Quality Program  
71 Mike Frost Way; P.O. Box 737 MS #84  
Ignacio, Colorado 81137

Dear Mr. Hutson:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Southern Ute Indian Tribe Implementation of a Part 70 Operating Permit Program – has been selected for a Clean Air Excellence Award in the Regulatory/Policy Innovations category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is located below the "Sincerely," text.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Ms. Lynn Harris  
Principal Administrative Analyst  
University of California, Irvine - Transportation and Distribution Services  
200 Public Services Building  
Irvine, California 92697

Dear Ms. Harris:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Sustainable Transportation Program – has been selected for a Clean Air Excellence Award in the Transportation Efficiency category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Ms. Mary Byrd  
Community Programs Supervisor  
Santa Barbara County Air Pollution Control District  
260 N. San Antonio Road, Suite A  
Santa Barbara, California 93110

Dear Ms. Byrd:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Protecting Blue Whales and Blue Skies – has been selected for a Clean Air Excellence Award in the Community Action category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2016

OFFICE OF  
AIR AND RADIATION

Mr. John C. Wall  
(b)(6) - Personal Privacy

Dear Mr. Wall:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that you have been selected for the Thomas W. Zosel Outstanding Individual Achievement Award as part of the Clean Air Excellence Awards program. We received almost 50 applications, and you were chosen by the EPA's Office of Air and Radiation for your outstanding achievement, demonstrated leadership, and lasting commitment to clean air.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

*Congratulations, John!  
Not deserving and I  
hope you can make it.*

Sincerely,

Janet G. McCabe  
Acting Assistant Administrator

cc: Brian C. Mormino  
Cummins, Inc.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

Mr. Clement J. Frost  
Tribal Chairman  
Southern Ute Indian Tribe - Air Quality Program  
P.O. Box 737  
Ignacio, Colorado 81137

Dear Mr. Frost:

On behalf of the U. S. Environmental Protection Agency, it is my pleasure to inform you that your project – Southern Ute Indian Tribe Implementation of a Part 70 Operating Permit Program – has been selected for a Clean Air Excellence Award in the Regulatory/Policy Innovations category. From almost 50 applications received, your project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability. I congratulate you and your organization for your dedication to improving our nation's air quality.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

You are invited to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC.

Selectees will be responsible for their travel and lodging costs. Hopefully, you have already been contacted by our office regarding your availability to attend the ceremony. If you have any questions, please contact Catrice Jefferson of my staff. She can be reached at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I send my congratulations again and look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, which appears to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Earl Carter  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Carter:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Georgia Ports Authority, located in Savannah, Georgia, has been selected for a Clean Air Excellence Award for their project eRTGs (Electric Rubber Tired Gantry Cranes). We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Johnny Isakson  
United States Senate  
Washington, D.C. 20510

Dear Senator Isakson:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Georgia Ports Authority, located in Savannah, Georgia, has been selected for a Clean Air Excellence Award for their project eRTGs (Electric Rubber Tired Gantry Cranes). We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe", is located below the "Sincerely," text.

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable David Perdue  
United States Senate  
Washington, D.C. 20510

Dear Senator Perdue:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Georgia Ports Authority, located in Savannah, Georgia, has been selected for a Clean Air Excellence Award for their project eRTGs (Electric Rubber Tired Gantry Cranes). We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Lois Capps  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Capps:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Santa Barbara Channel Region, located in Santa Barbara, California, has been selected for a Clean Air Excellence Award for their project Protecting Blue Whales and Blue Skies. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Barbara Boxer  
United States Senate  
Washington, D.C. 20510

Dear Senator Boxer:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Santa Barbara Channel Region, located in Santa Barbara, California, has been selected for a Clean Air Excellence Award for their project Protecting Blue Whales and Blue Skies. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, which appears to read "Janet G. McCabe", is located below the "Sincerely," text.

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Dianne Feinstein  
United States Senate  
Washington, D.C. 20510

Dear Senator Feinstein:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Santa Barbara Channel Region, located in Santa Barbara, California, has been selected for a Clean Air Excellence Award for their project Protecting Blue Whales and Blue Skies. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable James Langevin  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Langevin:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that SmartPower, located in Rhode Island, has been selected for a Clean Air Excellence Award for their project Rhode Island Energy Challenge: Find Your Four. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable David Cicilline  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Cicilline:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that SmartPower, located in Rhode Island, has been selected for a Clean Air Excellence Award for their project Rhode Island Energy Challenge: Find Your Four. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Jack Reed  
United States Senate  
Washington, D.C. 20510

Dear Senator Reed:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that SmartPower, located in Rhode Island, has been selected for a Clean Air Excellence Award for their project Rhode Island Energy Challenge: Find Your Four. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Sheldon Whitehouse  
United States Senate  
Washington, D.C. 20510

Dear Senator Whitehouse:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that SmartPower, located in Rhode Island, has been selected for a Clean Air Excellence Award for their project Rhode Island Energy Challenge: Find Your Four. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe", is located below the word "Sincerely,".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Paul Cook  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Cook:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Great Basin Unified Air Pollution Control District, located in Owens Lake, California, has been selected for a Clean Air Excellence Award for their project Owens Valley PM-10. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Barbara Boxer  
United States Senate  
Washington, D.C. 20510

Dear Senator Boxer:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Great Basin Unified Air Pollution Control District, located in Owens Lake, California, has been selected for a Clean Air Excellence Award for their project Owens Valley PM-10. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Dianne Feinstein  
United States Senate  
Washington, D.C. 20510

Dear Senator Feinstein:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Great Basin Unified Air Pollution Control District, located in Owens Lake, California, has been selected for a Clean Air Excellence Award for their project Owens Valley PM-10. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, which appears to read "Janet G. McCabe", is positioned below the word "Sincerely,".

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Mike Coffman  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Coffman:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Southern Ute Indian Tribe - Air Quality Program, located in Ignacio, Colorado, has been selected for a Clean Air Excellence Award for their project Southern Ute Indian Tribe Implementation of a Part 70 Operating Permit Program. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Michael Bennet  
United States Senate  
Washington, D.C. 20510

Dear Senator Bennet:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Southern Ute Indian Tribe - Air Quality Program, located in Ignacio, Colorado, has been selected for a Clean Air Excellence Award for their project Southern Ute Indian Tribe Implementation of a Part 70 Operating Permit Program. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe", is located below the word "Sincerely,".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Cory Gardner  
United States Senate  
Washington, D.C. 20510

Dear Senator Gardner:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that Southern Ute Indian Tribe - Air Quality Program, located in Ignacio, Colorado, has been selected for a Clean Air Excellence Award for their project Southern Ute Indian Tribe Implementation of a Part 70 Operating Permit Program. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Mimi Walters  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Walters:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that University of California, Irvine - Transportation and Distribution Services, located in Irvine, California, has been selected for a Clean Air Excellence Award for their project Sustainable Transportation Program. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Barbara Boxer  
United States Senate  
Washington, D.C. 20510

Dear Senator Boxer:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that University of California, Irvine - Transportation and Distribution Services, located in Irvine, California, has been selected for a Clean Air Excellence Award for their project Sustainable Transportation Program. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe  
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 02 2016

OFFICE OF  
AIR AND RADIATION

The Honorable Dianne Feinstein  
United States Senate  
Washington, D.C. 20510

Dear Senator Feinstein:

On behalf of the U.S. Environmental Protection Agency, it is my pleasure to inform you that University of California, Irvine - Transportation and Distribution Services, located in Irvine, California, has been selected for a Clean Air Excellence Award for their project Sustainable Transportation Program. We received almost 50 applications, and this project was chosen by the EPA's Office of Air and Radiation for its impact, innovation and replicability.

We would like to invite you to attend the 2016 Clean Air Excellence Awards Ceremony, which will be held on the evening of Tuesday, June 28, 2016, from 4:00 pm to 5:30 pm at the U.S. Environmental Protection Agency in Washington, DC. Along with others, I will be presenting the awards.

The Clean Air Excellence Awards Program recognizes and honors outstanding and innovative efforts to achieve cleaner air. The program was recommended to the EPA by the Clean Air Act Advisory Committee, which advises the EPA on policy issues related to the Clean Air Act.

We hope you will be able to join us in congratulating the winners from your state for their innovative projects that are helping us to achieve cleaner air. If you have any questions, please contact me or your staff may contact Catrice Jefferson of my staff at (202) 564-1668 or [jefferson.catrice@epa.gov](mailto:jefferson.catrice@epa.gov).

I look forward to seeing you at the ceremony.

Sincerely,

A handwritten signature in blue ink, which appears to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe  
Acting Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable James M. Inhofe  
United States Senate  
Washington, D.C. 20510

Dear Senator Inhofe:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Orrin G. Hatch  
United States Senate  
Washington, D.C. 20510

Dear Senator Hatch:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Michael B. Enzi  
United States Senate  
Washington, D.C. 20510

Dear Senator Enzi:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to “reallocate” obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA’s Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Johnny Isakson  
United States Senate  
Washington, D.C. 20510

Dear Senator Isakson:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable John Barrasso  
United States Senate  
Washington, D.C. 20510

Dear Senator Barrasso:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Roger F. Wicker  
United States Senate  
Washington, D.C. 20510

Dear Senator Wicker:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable James E. Risch  
United States Senate  
Washington, D.C. 20510

Dear Senator Risch:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Joe Manchin, III  
United States Senate  
Washington, D.C. 20510

Dear Senator Manchin:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable John Boozman  
United States Senate  
Washington, D.C. 20510

Dear Senator Boozman:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Patrick J. Toomey  
United States Senate  
Washington, D.C. 20510

Dear Senator Toomey:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Michael S. Lee  
United States Senate  
Washington, D.C. 20510

Dear Senator Lee:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Jeff Flake  
United States Senate  
Washington, D.C. 20510

Dear Senator Flake:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Ted Cruz  
United States Senate  
Washington, D.C. 20510

Dear Senator Cruz:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is written over a horizontal line.

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Shelley Moore Capito  
United States Senate  
Washington, D.C. 20510

Dear Senator Capito:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Bill Cassidy, M.D.  
United States Senate  
Washington, D.C. 20510

Dear Senator Cassidy:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable James Lankford  
United States Senate  
Washington, D.C. 20510

Dear Senator Lankford:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Tom Cotton  
United States Senate  
Washington, D.C. 20510

Dear Senator Cotton:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to “reallocate” obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA’s Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Steve Daines  
United States Senate  
Washington, D.C. 20510

Dear Senator Daines:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable David A. Perdue  
United States Senate  
Washington, D.C. 20510

Dear Senator Perdue:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned below the word "Sincerely,".

William L. Wehrum  
Assistant Administrator



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable John Kennedy  
United States Senate  
Washington, D.C. 20510

Dear Senator Kennedy:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator





## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

December 13, 2018

OFFICE OF  
AIR AND RADIATION

The Honorable Cindy Hyde-Smith  
United States Senate  
Washington, D.C. 20510

Dear Senator Hyde-Smith:

Thank you for your July 26, 2018 letter to the U.S. Environmental Protection Agency (EPA) Acting Administrator Wheeler, regarding the potential impacts were EPA to "reallocate" obligations under the Renewable Fuel Standard (RFS) program from small refineries that received an exemption to other, non-exempt refiners and importers.

Acting Administrator Wheeler and I fully appreciate the importance of the RFS program, as well as the impacts the program has on stakeholders across the country, in multiple different sectors. We further recognize the important role of the refining sector in ensuring the energy security of the United States, as well as the importance of refining jobs to the communities in which the refineries are located. As noted in your letter, our June 26, 2018 rule proposing the renewable volume obligations for 2019 did not contain a proposal to reallocate exempted obligations to non-exempt obligated parties. On November 30, 2018, Acting Administrator Wheeler signed the final 2019 volume rule, which, consistent with the proposed rule, does not include any reallocation of obligations based on small refinery hardship exemptions.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Karen Thundiyil in EPA's Office of Congressional and Intergovernmental Relations at [thundiyil.karen@epa.gov](mailto:thundiyil.karen@epa.gov) or (202) 564-1142.

Sincerely,

A handwritten signature in dark ink, appearing to read "W L Wehrum", is positioned above the typed name.

William L. Wehrum  
Assistant Administrator